

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

WAYNE SCOVIL, ET AL.,

PLAINTIFFS

v.

**FEDEX GROUND PACKAGE
SYSTEM, INC. *d/b/a FedEx*
*Home Delivery,***

DEFENDANT

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No. 1:10-cv-515-DBH

ORDER ON DISCOVERY

After briefing and a telephone conference, the Magistrate Judge issued a pretrial discovery order on November 14, 2011. Pretrial Discovery Order (Docket Item 69). The defendants filed an objection on November 28, 2011. Objection to Pretrial Discovery Order (Docket Item 71). In a later Report of Telephone Conference and Order on other topics, the Magistrate Judge noted the pending objection and said that "Plaintiffs anticipate filing a response to defendant's objection." Report of Telephone Conference and Order (Docket Item 73). But the plaintiffs have filed no such response. I can only conclude that the plaintiffs have decided to agree to the defendant's requested discovery and no longer contest the defendant's objection. Accordingly, the Magistrate Judge's

Order is **VACATED** as moot on that basis.

SO ORDERED.

DATED THIS 16TH DAY OF DECEMBER, 2011

/s/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE